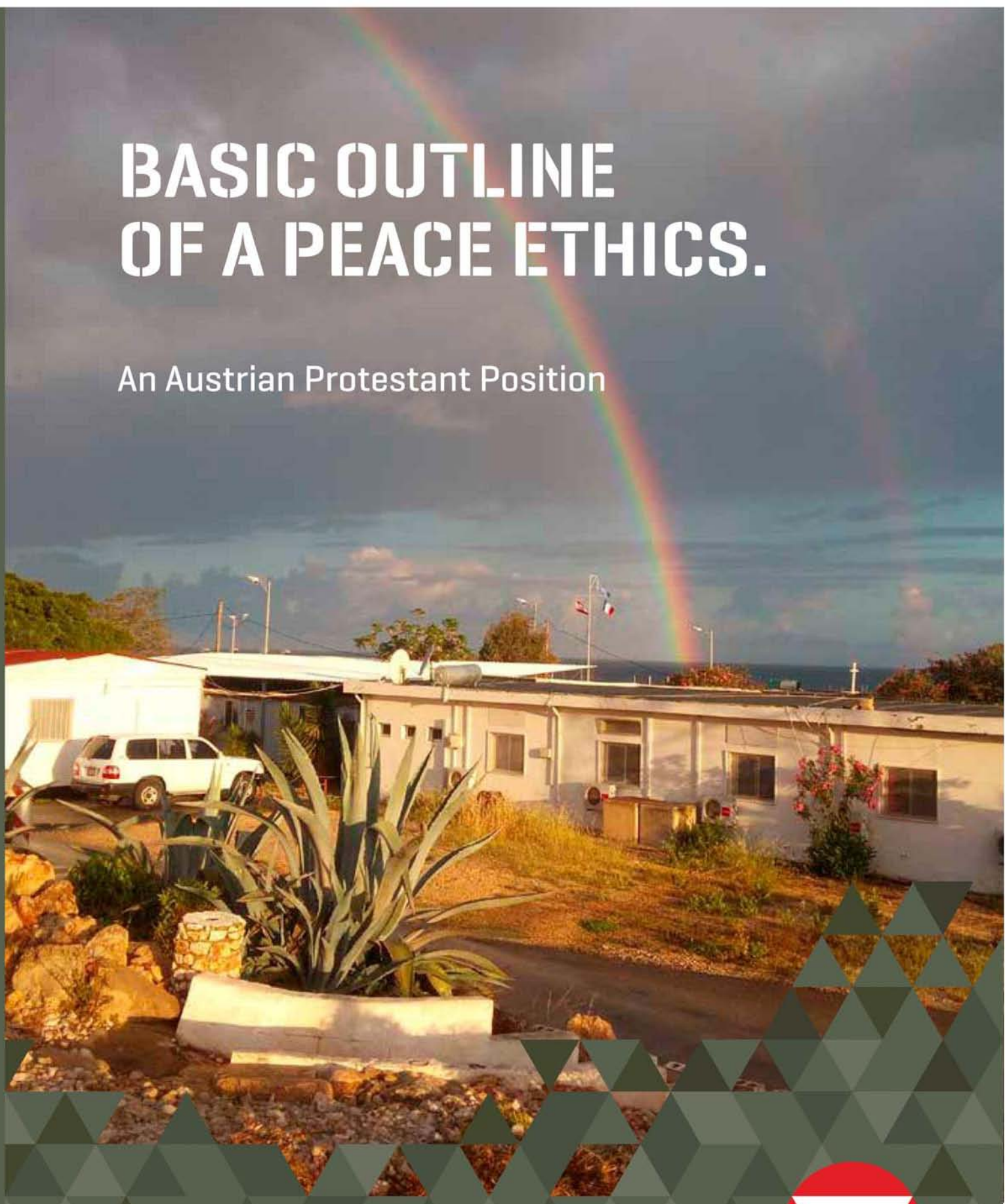
BASIC OUTLINE OF A PEACE ETHICS.

An Austrian Protestant Position



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Basic Outline of a Peace Ethics. Grundlinien einer Friedensethik

Basic Outline of a Peace Ethics.

An Austrian Protestant Position

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Foreword by the Consistory A. a. H.C.

"I will hear what God the LORD will speak: for he will speak peace unto his people, and to his saints."

These words from the 85th Psalm formed the basis of Dietrich Bonhoeffer's famous speech before the Ecumenical Youth Conference in Fanø, Denmark, in 1934. His sermon was blunt, shocking, and critical of all so-called peace efforts at the time. "How does peace happen?": with tanks and weapons, by way of political agreements, through money? Bonhoeffers urgent question is posed by every generation.

In presenting the Basic Outline of a Peace Ethics to the public, in itself an idea taken from Protestant Military Chaplaincy, the Protestant Church wants to honour and stress, from a Christian perspective, the importance of concrete responsibility for peace.

When it comes to peace, questions concerning a fundamental dimension to all our core values, our core consensus, and (political, national, international) order arise; for when there is war almost everything is lost:

"It's war! It's war! O God's angel forbid, And Speak thou in it!" (Matthias Claudius)

Especially in a heterogeneous society and a wider Europe based on cooperation, solidarity, and shared

values, it will be of the essence that careful and keen attention be paid to the manner in which the flower of peace is nurtured and nourished.

The Basic Outline is intended to bring new impetus to the status quo and to help contemplate core questions in order to make them bear fruit in day-to-day life. In this respect, they are to be understood as impulses for parishes and schools, as invitations to further development as well as to concrete action and commitment.

Bonhoeffer's appeal for a great ecumenical council of all Christian denominations to promote peace was not taken up by the churches 85 years ago. May the present proposals help that peace be recognised, both in our country and in the coexistence of the community of peoples, as a "great venture" (Bonhoeffer), not only worth our effort, but all our power to preserve and promote it.

Prof. Mag. Karl Schiefermair
Member of the Consistory

Preface by the Protestant Military Chief Chaplain

Although this collection of theses was produced by the Austrian Protestant Military Chaplaincy, it is not designed to serve simply as a document of and for military pastoral care.

Rather, a different perspective was consciously adopted: The series is primarily intended for all Protestants in Austria, as well as for all persons dealing with the ethics of peace as well as military ethics.

Questions relating to war, but above all peace, are discussed from an Austrian and Protestant perspective,

The topic requires that the focus is put on questions pertaining to political ethics and then extended to the Austrian Armed Forces. Any inquiry into the positions citizens as well as sincere Christians adopt vis-à-vis questions pertaining to the ethics of peace always includes the Austrian military.

The Austrian Armed Forces are therefore not the only field referred to in this series – by far. Military ethics and peace ethics are just as much topics of religious education, they have links to social ethics and peace education, as well as to the very personal decision of many young Austrian men whether they should opt for alternative or national service.

I am thus pleased that the General Synod A. and H.C. decided to recommend the position paper to all Protestant parishes and RI teachers. The theses are to be understood as the Protestant Military Chaplaincy's contribution to the commemorative year 2017 and its motto "Liberty and Responsibility". This includes, in particular, the topic of military ethics and peace ethics.

Priv.-Doz. DDr. Karl-Reinhart Trauner
Protestant Military Chief Chaplain

On the text and its creation

At the last session of the General Synod in Linz on 9 December 2017, the vast majority of the members of the Synod acknowledged this position paper and recommended it to parishes and RI teachers.

The paper was prepared in connection with the commemoration of the Reformation in 2017 and the motto "Liberty and Responsibility". The position paper therefore raises topical questions concerning war and peace: Although it was developed by the Protestant Military Chaplaincy, as the body competent in these questions, it does not establish the status quo of military pastoral care. It rather presents a position rooted in Protestantism on how Protestant Christians in Austria can address questions of war and peace, and then applies it to issues of security policy and the military. At the same time, the paper is intended to go beyond the Protestant and the Austrian horizons.

In good Protestant fashion, the Synod does not aim to circulate a preconceived opinion, but rather to provide impulses for further discussions in the parishes, in further education or in RI. The text requires a great amount of work on the part of the reader, it makes suggestions and provides guidance, so that everyone

in their specific life situation can form an opinion in questions pertaining to security and defence policy. The spectrum ranges from general political positions, via peace education and inter-cultural competence to the personal question of national service or alternative service.

It is no surprise that the basic concept of a peace ethics has transcended military pastoral care, as the latter is repeatedly confronted with conflicts and the use of legitimate force, and must realise how much the loss of peace goes hand in hand with the loss of humanity. On operations, soldiers are usually the first ones to realise that true peace cannot be achieved by military means alone. Thus, a more comprehensive perspective of a peace ethics suggests itself.

Headed by Military Senior Michael Lattinger, the Institute for Studies in Military Ethics, with the participation of Military Vicar-General Prelate Franz L. Fahrner, has developed this contribution to a discussion of a contemporary peace ethics in an ecumenically concerted manner. The creation of the paper also included the Member of the Synod Professor Mag. Karl Schiefermair and a representative of the Faculty of Protestant Theology at the University of Vienna, Univ-Prof. Dr. DDr. h.c. Ulrich H. J. Körtner. Furthermore, during a conference on military ethics in Vienna with numerous Protestant ministers in attendance, the draft of the paper was presented and its content evaluated.

These theses are to encourage us to do everything in our power to preserve the gift of peace in our time.

Preliminary note

The document at hand is understood as a recommendation for all Protestants in Austria against the background of Protestant conviction.

The study is divided into two sections:

- It summarises the current state of the peace-ethical discussion (theses 1 to 3) and
- applies it to the military field (theses 4 to 6), with special emphasis being placed on the Austrian Armed Forces.

Since the Church is an *"ecclesia semper reformanda (the Church consistently has to renew itself)"*, time and again positions need to be reviewed and rephrased.

Although the reformers have to be considered as a constitutive factor for the Protestant Churches, their origin lies in Jesus Christ. Christianity itself is rooted in Judaism, and the Old Testament knows a long tradition of so-called Holy Wars. Since the Great Schism of 1054 a Western "Latin" and an Eastern "Orthodox" domain have been distinguished. Both developed their own church traditions. The doctrine of the justifiable application of military means (the traditional so-called bellum iustum doctrine) belongs to the Latin tradition.

Humanism, the Renaissance and the Reformation are Western "Latin" developments, which led up to a differentiation process within society as a whole and affected the Church; in this way the confessional churches were formed.

In the Churches of the West there is a basic consensus with regard to most ethical questions. The separation of the State and the Church, for example, constitutively determines public and political life, although in the individual life religious and political thought still interlink.

Military-ethical considerations regard themselves as an indispensable contribution when there are decisions and actions to be made, along with the necessary reflection of any responsible doings in the sense of a legitimised monopoly of the use of force and the respective state authority.

The points of reference of the theses at hand are the official writings of the Protestant Churches, i.e. primarily the confessional documents of the 16th and 20th centuries. The latter are continued by programmatic texts,[1]

1 In this context, one might most notably consider *Schritte auf dem Weg des Friedens.* Ein Beitrag des Rates der Evangelischen Kirche in Deutschland [Steps on the path to peace. A contribution of the Church Council of the Evangelical Church in Germany] (EKD texts 48, without obligation, 2001). Hermann Barth gives commentaries on the topic: Für eine internationale Friedensordnung unter der Herrschaft des Rechts. [For an international peace order under the rule of law.] Grundzüge des friedensethischen Konsenses in der evangelischen Kirche. [Outline of the peace ethical consensus in the Protestant Church] In: De officio. Zu den ethischen Heraus-

particularly by the peace memorandum *"Aus Gottes Frieden leben – für gerechten Frieden sorgen"* [Living out of God's Peace – Providing for a Just Peace] of Evangelical Church in Germany (EKD) dating from 2007.[2] The Social Word adopted in 2003 by the Ecumenical Council of the Churches in Austria also offers a number of guidelines.[3]

A few comprehensive studies deal with the whole topic area.[4] In the environment of the Austrian Armed Forces three programmatic position papers were devel-

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fordeungen des Offiziersberufs [On the ethical challenges of the profession of the officer], ed. by H. Blaschke (Leipzig, 2000), 354 - 367.

2 *Aus Gottes Frieden leben – für gerechten Frieden sorgen*. Eine Denkschrift des Rates der Evangelischen Kirche in Deutschland [A memorandum of the Church Council of the Evangelical Church in Germany] (Gütersloh [2.]2007); online: http://www.ekd.de/download/ekd_friedensdenkschrift.pdf [queried on 19th Nov. 2015].

3 *Sozialwort des Ökumenischen Rates in Österreich* [Social word of the Ecumenical Council in Austria] (without obligation [Vienna] n. y. [2003]).

4 Dieter *Baumann*, Militärethik. Theologische, menschenrechtliche und militärwissenschaftliche Perspektiven [Military ethics. Theological, human rights and military science perspectives] (Theologie und Frieden 36; Stuttgart 2007); *Brennpunkte politischer und militärischer Ethik* – Eine Einführung [Focal points of political and military ethics - an introduction], vol. 1, ed. by Brigitte Sob / Edwin R. Micewski (Schriftenreihe der Landesverteidigungsakademie 4; Wien 2007); Friedensethik im Einsatz [Peace ethics in operations]. Ein Handbuch der Evangelischen Seelsorge in der Bundeswehr (Gütersloh 2009) [A handbook of Protestant pastoral care in the Bundeswehr]; Edwin R. Micewski, Ein Offizier als Philosoph – Schriften. [An officer as a philosopher – writings] Annotated anthology, ed. by Barbara Schörner / Günther Fleck (Frankfurt/Main–Berlin–Bern–Brüssel–New York, NY-Oxford-Wien 2009); *Handbuch Militärische Berufsethik*, ed. by Thomas Bohrmann / Karl-Heinz Lather / Friedrich Lohmann, 2 vols. (Wiesbaden 2013f.)

oped: In 2001, the Apostolat Militaire International adopted the declaration *"Der katholische Soldat am Beginn des 3. Jahrtausends"* [The Catholic soldier at the beginning of the third millennium], in the following year this declaration was adapted by the Arbeitsgemeinschaft Evangelischer Soldaten in Österreich [Work Group of Protestant Soldiers in Austria], and the result was published as *"Der christliche Soldat am Beginn des 3. Jahrtausends"* [The Christian Soldier at the Beginning of the Third Millennium]. In 2010 the Apostolat Militaire International followed up with "*Der christliche Soldat als Diener eines gerechten Friedens"* [The Christian Soldier in the Service of Just Peace].[5]

All the leading thinkers of the Western-European, and particularly of the German-speaking Christianity, today take a peace-oriented and pacifist stance. As different as the positions regarding the establishment of

5 *Apostolat Militaire International / AMI*, Der katholische Soldat am Beginn des 3. Jahrtausends. [The Christian soldier at the beginning of the third millennium] Declaration of the AMI General Assembly of 15 Nov. 2000 in Rome (Bonn 2000); *Arbeitsgemeinschaft Evangelischer Soldaten in Österreich / AGES*, Der christliche Soldat am Beginn des 3. Jahrtausends. Selbstverständnis, Selbstdarstellung und Akzeptanz. [Work Group of Protestant Soldiers, The Christian soldier at the beginning of the third millennium. Self-conception, self-portrayal and acceptance.] Declaration of the Work Group of Protestant Soldiers of 11 April 2002 (Vienna 2002); online: http://www.bundesheer.at/pdf_pool/publikationen/ms_ages-erkl_engl.pdf [queried on 21 Nov. 2015]; *Apostolat Militaire International / AMI*, The Christian Soldier in the Service of Just Peace. Declaration of the Apostolat Militaire International General Assembly, Berlin, Oct. 2010 (Wien 2011); online: http://www.irf.ac.at/index.php?option=com_docman&task=doc_download&gid=148&Itemid=18 [queried on 21 Nov. 2015].

peace are and as clearly as two basic approaches can be differentiated, they do not necessarily have to be understood as mutually opposing, but may even complement each other:[6]

a) One line (again) represents, in succession to the radical peace movement of the 1970ies and 1980ies, the vision of a completely peaceful, non-violent society without any need for a military. A representative of this line who regularly appears in the media is Margot Käßmann.[7]

b) There is also the group consisting of those who do not see conflicts as desirable, but accept them as part of reality and who aim at preventing or at least containing them by involving the use of legitimate state force.

This basic outline is to be seen against this backdrop, but is aimed at the acting human being with a Christian-shaped conscience, who acts and decides out of

6 Heinrich Bedford-Strohm, Regional Bishop of the Evangelical-Lutheran Church in Bavaria and President of the Council of the Evangelical Church in Germany since 2014, differentiates between four pacifist sub-approaches; cf. *Evangelischer Erwachsenenkatechismus [Protestant catechism for adults], 8th ed. (Gütersloh 2010), p. 561f.*

7 Cf. inter alia Entrüstet euch! [Be indignant!] Warum Pazifismus für uns das Gebot der Stunde bleibt. [Why pacifism for us remains the dictate of the moment.] Texte zum Frieden [Texts about peace], ed. Margot Käßmann / Konstantin Wecker (Gütersloh 2015).

freedom and responsibility. It also attempts an evolvement of the contents of the theses derived from them.

1. According to God's will there shall be no war

According to the biblical message God's peace is the goal of the historical development of the world, which has started a new beginning with Jesus Christ.

1.1. It is a Christian conviction that humanity shall be dedicated to peace, and therefore war and violence are rejected as a matter of principle. In view of the catastrophes reigning in the first half of the 20th century the Ecumenical Council clearly stated in 1948 that it rejects the military use of force and declared: *"According to God's will there shall be no war!"* [8]

In addition, there has been a long tradition of applying military force on philosophical and theological grounds as so-called "just wars". A new approach for the current position of the Evangelical Church in Germany (EKD) is the peace memorandum "*Aus Gottes*

8 Quoted according to: *Erste Vollversammlung des Ökumenischen Rates der Kirchen in Amsterdam* [First Assembly of the World Council of Churches in Amsterdam] (22 August to 4 September 1948), Bericht der IV. Sektion: Die Kirchen und die internationale Unordnung, in: Die Unordnung der Welt und Gottes Heilsplan [Report of Section IV.: The Churches and the international disorder, in: The disorder in the world and God's salvation plan], V, ed. by Willem A. Visser't Hooft, ed. (without obligation 1948) 117.

"Frieden leben – für gerechten Frieden sorgen" [Living out of God's Peace – Providing for a Just Peace] from 2007.

1.2. Already the Old Testament offers an eschatological perspective, expressed, among other things, by the catchphrase *"beat one's swords to ploughshares"* from the book of the prophet Micah (Micah 4:3).[9] This is an eschatological, apocalyptic (and time-fulfilling) hope. For as old as a biblical theology is the knowledge that comprehensive peace is only possible with God, however, not in this world.

With the turn towards a guiding concept of comprehensive and just peace there is a reference to *"God's promise"* and the *"consummation of the world"* as a part of the *"Kingdom of God"*,[10] from which accrues a Christian obligation to be committed to peace here and now.

1.3 Although every attempt at legitimising a war from a Christian point of view today constitutes a clear abuse of this commitment, religious motives are a part of conflict scenarios. This is because religion does not only define one's relationship with God, but it is also a part of culture.

9 Cf. also Isaiah 2:2–4; Joel 4:1.9–12.

10 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 74.

> "[Often ...] *the connection of cultural and religious factors with other, power political, social or economic matters makes for an eruption of violence or the escalation of (armed) conflicts.*" [11]

Here, the question of the role of religion is raised. There is Jan Assmann's well-known study "Monotheism and the Language of Violence".[12]

> *"With monotheism there evolved the distinction between true and false in religion – and with it a specific form of violence."* [13]

This has to do with the certainty of truth within monotheist religions. Religions based on revelation always ask the question of truth (or untruth), which cannot be accessed with the criteria of falsifiability alone. When religion is placed in the domain of objective reality, it is stripped of its religious character.

Religion may without doubt be a decisive factor in conflicts (or wars) but there is not

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11 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 31.

12 Jan *Assmann*, Monotheismus und die Sprache der Gewalt [Monotheism and the language of violence] (Wiener Vorlesungen im Rathaus 116; Wien 2006); cf. i. a. the work of Georg *Baudler*, Gewalt in den Weltreligionen [Violence in world religions] (Darmstadt 2005).

13 Jan *Assmann*, Monotheismus und Gewalt. Essay. In: perlentaucher.de on 29 Jan 2013; online: https://www.perlentaucher.de/essay/monotheismus-und-gewalt.html [queried on 21 Nov 2015].

"necessarily or even invariably a relationship between religion and violence".[14]

In the course of the burgeoning debate, however, Assmann clearly stated that he does not consider monotheism to be inherently violent and that it must be replaced by a new cosmotheism.[15] Christianity is obliged by its biblical heritage to a critical tolerance towards other religious approaches, without questioning at the same time the intrinsic claim to truth of Jesus Christ's message.[16]

The former German chancellor Helmut Schmidt stated in this context:

"As long as the large world religions are not ready to respect and tolerate each other, they endanger peace." [17]

14 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 31.

15 Cf. *Die Gewalt des einen Gottes*. Die Monotheismusdebatte zwischen Jan Assmann, Micha Brumlik, Rolf Schieder, Peter Sloterdijk und anderen [The force of the One God. The debate about monotheism between Jan Assmann, Micha Brumlik, Rolf Schieder, Peter Sloterdijk and others], ed. by Rolf *Schieder* (Berlin 2014).

16 Hans Küng's attempts and his "Project World Ethos" are aimed at developing a common ethical basic consensus between all world religions. Cf. Hans *Küng*, Projekt Weltethos [Project World Ethos] (Munich [3.]1991). In this context questions about a transfer of values deserve to be considered.

17 Helmut *Schmidt*, Religion in der Verantwortung. Gefährdungen des Friedens im Zeitalter der Globalisierung [Responsible religion. Threats to peace in the age of globalisation] (Berlin 2011) 10.

The certainty of truth and tolerance do not oppose each other, but enable dialogue and tolerance in the first place.[18]

1.4. All attempts at a theological search for peace serve to improve the current requirements for action. Thereby truth's ability to make compromises might be used as the standard.[19]

Responsible acting can only be directed at a relationship between human beings, which is determined both by the overall content of everyone and justice.

> "[...] *Just peace* [is] *the objective of political ethics.*"[20]

Peace thus has an eminently social dimension. Peace in justice aims at nothing less than

> *"the acknowledgement of the dignity of all human beings, to rely on the respect for human rights,*

18 Ulrich H.J. *Körtner*, Heute glauben in Europa. Plädoyer für eine Toleranz aus Glauben. [To believe in Europe today] In: Reinhard Hempelmann / Martin Hochholzer / Johannes Sinabell (ed.), Heute glauben in Europa. Zwischen Religionsdistanz und Religionsfanatismus [To believe in Europe today. Between distance to religion and religious fanatism] (EZW-Texte 247, Berlin 2017) 118–135, here 119.

19 In a binary-thinking system, where, for example, only right and wrong exist, compromise is ultimately inconceivable.

20 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 80.

for sustainable political, social and economic development." [21]

For the philosopher Heimo Hofmeister war is, therefore, *"the wrong-means of making politics".*[22] Such a characterisation is shaped by the framework conditions of the Cold War, which caused the perception of war as an instrument of politics to be questioned massively. A nuclear strike would have led to the destruction of at least vast parts of Europe. Because of the military capacities alone war could not any longer be understood as a means of politics.

There is the ecumenical consensus: The Protestant Catechism for Adults points at the biblical understanding *"that the true peace of God cannot be materialised in this world".*[23] The Catechism of the Catholic Church points out that

"peace on earth [is] *the reflection and fruit of Jesus Christ, who is the messianic 'Prince of Peace'* (Isaiah 9:5)." [24]

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21 Social Word of the Ecumenical Council in Austria sect. 246.

22 Heimo Hofmeister,Der Wille zum Krieg oder die Ohnmacht der Politik. Ein philosophisch-politischer Traktat [The will to start a war or the powerlessness of politics. A philosophical-political treatise] (Kleine Reihe V&R 4027; Göttingen 2001) 68.

23 Evangelischer Erwachsenenkatechismus [Protestant Catechism for Adults], 555.

24 *Katechismus der Katholischen Kirche*. Neuübersetzung aufgrund der Editio typica Latina [Catechism of the Catholic Church. New translation on the basis of the Editio typica Latina] (Munich 2005) sect. 2305.

The fact that peace will only come at the end of time with the return of Jesus Christ does not mean that peace does not have to be a permanent goal. So Jesus calls the peacemakers blessed. (Matthew 5:9)

2. The sun rises on the evil and the good

The conditions in the world show that God's all-encompassing peace has not come (yet). God *"makes His sun rise on the evil and on the good and sends rain on the just and on the unjust"* (Mattew 5:45).

2.1. An actual study has come to the conclusion that all the large religions, including Buddhism, have both (radical-) pacifist rules and justifications for waging war.[25] This also applies to Christianity.[26]

In view of the challenges posed by the 20th century German theologians again analysed the character of the world in relation to the kingdom of God. Dietrich Bonhoeffer emphasised during the extreme situation of the Third Reich that man is only living in the pre-stage of divine completion (eternity), in the *"penultimate"*.[27] The latter is characterised by the distance to God, the world has not yet been fetched home by Christ's final return and accession to the throne. This corresponds to the experiences currently being made: The world's reality is

25 Hartmut *Zinser*, Religion und Krieg [Religion and war] (Paderborn 2015).
26 Cf. Zinser, 79ff.
27 Cf. Dietrich Bonhoeffer, Ethik [1992], compiled and ed. by Ilse Tödt (DBW 6; Gütersloh $^{2.}$1998) 137ff.

far more shaped by war than by peace; the evil is louder than the good. Where the evil in world comes from seems to be one of the primary questions of humanity. The discussion is mirrored by the story about the Fall of Man and Caine's fratricide at the beginning of the Bible (Genesis 3 and 4).

Correlative with a starting point in the life in the unredeemed penultimate, Bonhoeffer turns against any ethical approach, which is only concerned with distinguishing between good and evil.[28] Man isn't at all capable of making such a distinction under the conditions of the penultimate. Bonhoeffer experienced this in the national-socialist state:

> *"The great masquerade of evil has whirled around all ethical terms. That evil appears in the guise of light, benefaction and what is historically necessary and socially just, is plainly disconcerting for the ones coming from our world of traditional ethical terms."* [29]

In the end, the question of evil remains unanswerable. It calls us, however, to our own responsibility in the historical struggle for the good.

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28 Cf. Bonhoeffer, Ethik [1992], 301f.

29 Dietrich *Bonhoeffer*, Widerstand und Ergebung. Briefe und Aufzeichnungen aus der Haft [Resistance and surrender. Letters and records from detention, ed. by Christian Gremmels (DBW 8; München 1998) 20.

2.2. Violence and war destroy God's creation, which has from the beginning been rated as "good" by God:

> *"God saw all that he had made and it was very good."*
> (Genesis 1:31; cf. 1:4.10.12.18.21.25)

With that, it it is clear that there shall be no violence and war according to God's will. God is the sovereign of life, which he gives and takes. By killing, even if it is not done under personalised circumstances during a war, man meddles with God's plan (cf. Genesis 9:4ff.). This is true even when such a war is supposed to help enforce God's will in the minds of human persons.[30] In addition, violence, particularly when it is of a lethal nature, does not only perturb the relationship with God, but also between human beings. Even a harmonious relationship is (and remains) destroyed by each killing. Even a situation of self-defence does not constitute a (clear) exception.[31]

This explains the radicalisation of the 5th commandment in the Sermon on the Mount (Mattew 5:43ff.

30 Cf. still Gerhard *von Rad*, Der Heilige Krieg im alten Israel [The Holy War in Israel] (Göttingen 4.1965); also Werner *Freistetter*, "Asymmetrischer Krieg" in der Bibel? ["Asymmetric warfare" in the Bible?] Theologisch-ethische Überlegungen zu Gewalt und Kriegen im Alten Testament. In: Asymmetrische Kriegsführung – ein neues Phänomen der Internationalen Politik? [Theological-ethical thoughts on violence and war in the Old Testament, in: Asymmetrical warfare – a new phenomenon in international politics], ed. by Josef Schröfl / Thomas Pankratz (Baden-Baden 2004) 21–29.

31 Cf. Catechism of the Catholic Church, sect. 2263ff.

par.): *"Thou shalt not kill!"* (Exodus 20:13; par. Deuteronomy 5:17), whereby killing means more than the physical destruction of life.

The Heidelberg Catechism dating from 1563 asks the question *"Is it enough, then, that we do not kill our neighbour in any such way?"* (Question 107) The answer is unequivocal:

> *"No, for if God condemns envy, hatred and anger, he requires us to: love our neighbour like ourselves; show patience, peace, gentleness, mercy and friendliness toward him; protect him from harm, as much as we can - and to do good even to our enemies."*

The Catechism of the Catholic Church may even understand scandal as a violation of the respect for human virtue and integrity with regard to this commandment.[32]

2.3. Questions of war and peace belong in the field of living together. According to modern criteria the military and peace ethics therefore came within social ethics. Therefore, peace and war will have to be considered within an analysis of society as a whole.

32 Catechism of the Catholic Church, sect. 2284ff.

"Peace is not a state (neither the pure absence of war nor the shutdown of all conflicts), but a social process of decreasing violence and increasing justice [...]." [33]

The three ethical core terms of the Old Testament – contentment (being "at peace"), righteousness and faithfulness[34] –, which denote the basis for a successful life together and social coexistence (and which are of fundamental importance for the military as well), are today understood as terms relating to relationship and/or relations.

The term "shalom" in particular, which is usually translated by "peace", is on a lexical level not understood as a fixed, natural state, but as the quality of the relation(ship) between human beings (and also God as well as the environment).

When a relationship is perceived as suitable and right, there is contentment in the sense of being at peace or, respectively, shalom, whereby neither term necessarily denotes a (legally) defined "peace". It finds its modified analogy in the political catchphrase "relative peace" and

33 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 80.

34 Regarding the individual terms cf. Gillis *Gerlemann*, slm – genug haben. In: Theologisches Handwörterbuch zum Alten Testament [slm - having had enough, in: Theological pocket dictionary of the Old Testament], ed. by Ernst Jenni / Claus Westermann, 2 Bde. (München-Zürich 3.1984) II, 919–935; Klaus Koch, sdq – gemeinschaftstreu/heilvoll sein. [sdq - being true to the community and salvific] In: ibid., 507–530; Hans *Wildberger*, 'mn – fest, sicher. [mn - firm, secure] In: ibid. I, 177–209, most notably 201–209.

also in the idea of a "social peace". Thus, "peace" is far more than the "absence of war".

Especially in view of the framework conditions of the "penultimate", the aim must be to arrive at a state with which everybody is content, or "at peace", where at least righteousness has been established, which is preserved by law and stability and security in society. The objective of societal and political actions can therefore only be reconciliation.[35]

> *"The biblical talk about peace is not restricted to distancing oneself from the military use of force, even if it is one of their consequences."* [36]

Since this is about the successful (or unsuccessful) relationship between human beings (and also between Man and God), the entire spectrum of acting is addressed. Part of that are also military activities of the state and the individual soldier.

2.4. As Man lacks the ability to obtain an ultimate and ethically substantiated understanding of good and evil under the conditions of the "penultimate", Dietrich Bonhoeffer sees human history as always connected

35 Cf. Wilhelm *Dantine*, Versöhnung. Ein Grundmotiv christlichen Glaubens und Handelns [Reconciliation. A basic motive of Christian belief and acting] (Vienna n.y. [1996]).

36 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 75.

with guilt, from which Man cannot free himself,[37] and remains dependent on God.

According to Bonhoeffer acting is always connected with freedom, but there is at the same time a possible – conscious or unconscious – assumption of guilt in personal responsibility. In view of the resistance in the Third Reich, which Bonhoeffer belonged to, and the attempted assassination of Hitler, such deliberations were even heightened, since even the tyrannicide of Hitler would remain murder. Bonhoeffer concluded

> *"that freedom and the readiness to take on guilt are part of the structure of responsible acting."* [38]

Even although this extreme conflict of interest will seldom take place in the profession of a soldier, it is potentially always there. Soldiers take on responsibility while performing their duty, and this may lead to guilt.[39] In this context, one has to distinguish between personal guilt, for example intentional murder, and a structural sin. Structural sin implies supra-individual mechanisms and societal functional relationships,

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37 Cf. Dietrich Bonhoeffer, Ethik [1992], compiled and ed. by Ilse Tödt (DBW 6; Gütersloh $^{2.}$1998) 133ff.

38 Bonhoeffer, Ethik [1992], 275.

39 Cf. Franz L. *Fahrner*, Zu Schuld, Sünde, Sühne und Tod beim Soldatenhandwerk. [On guilt, sin, atonement and death in soldiering] In: Soldat im Einsatz – militärische, anthropologische und theologische Aspekte, ed. by Franz L. Fahrner / Karl-Reinhart Trauner (Schriftenreihe des Instituts für Militärethische Studien 4; Vienna 2014) 155–168.

which have sinful effects and into which the individual is drawn unintentionally.

> "[...] *Forgiveness of sins in the religious sense* [however, must] *not be related to political acts. In the political sphere the question is how reconciliation is possible in a state of righteousness, and this means how the spirit of forgiveness can use and, if necessary, modify the idea of law without rescinding it.*" [40]

40 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 69.

3. Overcome Evil with Good

Man lives between divine entitlement and the reality of the world he experiences. His task is to shape the world and thereby achieve a positive development. ***"Do not be overcome by evil, but overcome evil with good."*** **(Romans 12:21)**

3.1. The ultimate objective of the kingdom of God persists even under the framework conditions of the "penultimate" of the world. Due to the clash between divine entitlement and the experienced reality, the Lutheran Church came up with the so-called two kingdoms doctrine in the course of the Reformation.[41] Even if God's rule ("kingdom of God") is boundless, the world ("kingdom of the world") has developed its own mechanisms. Christ is part of both "kingdoms". According to the two kingdoms doctrine, God reigns the world two-fold, which is why Luther speaks of two "regimes" / "realms" or ways to reign:

41 Cf. particularly Reich Gottes und Welt. Die Lehre Luthers von den zwei Reichen [Luther's doctrine of the two kingdoms], ed. by Heinz-Horst Schrey (Wege der Forschung 57; Darmstadt 1969); Ulrich Duchrow, Christenheit und Weltverantwortung. Traditionsgeschichte und systematische Struktur der Zweireichelehre [Christianity and world responsibility. History of tradition and systematic structure of the two kingdoms doctrine] (Forschungen und Berichte der Evangelischen Studiengemeinschaft 25; Stuttgart 1970).

On the one hand God with His word appeals to Man's conscience, challenges it with His commandments and ideas and brings comfort with His forgiveness. This is where the commandment to love your neighbour comes in, extending to loving your enemy.

> *"If it is possible, as far as it depends on you, live at peace with everyone."* (Romans 12:18)

On the other hand there exists the world with its own rules, which often do not live up to the divine requirement. In the "kingdom of the world" the Christian human being has to take responsibility. Luther refers to everything that belongs to the upkeep of worldly life: social institutions like the state or the church, marriage and family, property, economy or profession. In this context God's commandment cannot be totally implemented into politics, e.g. when Christ wants to provide for social justice, security and peace. For Luther, however, the love of the neighbour in the sense of the Sermon on the Mount remains the ultimate benchmark, also for political actions.

Both kingdoms or regiments cannot be separated from each other. This is why a Christian, by inhabiting both kingdoms, is obligated to prove himself in the kingdom of the world for the sake of God and that of his neighbour's. There are no such concepts as (so-called dirty) political practices or let alone a theology of the clean slate.

3.2. The tension between the aspired goal of the kingdom of God on the one hand and the world's framework conditions on the other leads to Man's challenge to impact the world in the best possible manner despite the conditions at hand.

The objective of wars and the use of military force always have to be questioned. The use of military force as a part of a political mechanism falls under the supremacy of politics. This, furthermore, means that politics

> "[must], *not solely* [be] *fixated on military means, but primarily encompass civil mechanisms of crisis prevention and conflict resolution*".[42]

This is the starting point for critique of the classic definition of "war" as it was defined by the Prussian military theorist Carl von Clausewitz. According to this definition war is

> *"not merely an act of policy but a true political instrument, a continuation of political intercourse, with the addition of other means. All beyond this which is strictly peculiar to war relates merely to the peculiar nature of the means which it uses. The political view is the object, war is the means ..."*[43]

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42 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 87.

43 Carl von *Clausewitz*, Vom Kriege [On war] (Augsburg 1990) 34.

Warfare thus not only becomes a legitimate means but a means that is not different to others in terms of ethics. As opposed to that, war or the use of military force can exclusively be understood as an extraordinary means of politics. According to modern notions the decision on the use of military force can only be subject to very strict criteria and unique responsibility.

Despite the fact that the state and religious communities are separate entities, in every individual his/her political and religious convictions interconnect. Living faith denotes the relationship between God and the individual human being. This relationship, however, needs to be realised and be proven in a positive design of how human persons Coexist in everyday life as well as in politics.

Accordingly, Christian ethics understands itself chiefly in the context of a social ethics, which is traditionally contrasted with individual ethics. At its basis lies the modern separation of the private and the public spheres inherent in the middle-class. The contraposition of individual and social ethics, however, mostly leads to double standards; a dissipation of individual ethics into social ethics leads to neglect of the responsible subject. Individual and social ethics are, therefore, not opposed to, but necessitate, each other.

3.3. In a number of military-ethical matters many faithful Christians tend towards an ethics of opinion. It accentuates one's personal conviction as the decisive place of what is ethical. Behind this lies the conviction that good thinking leads to good actions.

> *"Christian ethics in accordance with the Protestant understanding is fundamentally to be understood as a certain form of ethics of responsibility determined by the spirit of love and which connects the approaches of a deontological and an ethical moral theory as well as the aspects of a deontology, a theory of goods and a virtue ethics."* [44]

For an ethics of responsibility the foreseeable consequences of actions are to be considered in the first place.[45] An ethics of responsibility accentuates primarily the result of acting. At the centre is not the person with his/her attitude and sentiment, but the consequences of his/her actions, with the means of the actions playing an important role as well. In the course of the history of ethics personal happiness, the common good and the greatest usefulness have been rated as the benchmark. The integrity of one's motives has been replaced by practical matters.

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44 Ulrich H.J. *Körtner*, Wie viel Freiheit verträgt der Glaube? [How much freedom does faith stand?] In: Standpunkt 277/2017, 3–20, here 11.

45 Cf. Max *Weber*, Gesammelte Politische Schriften [Collected political writings], ed. by Johannes Winckelmann (Tübingen [4.]1980) particularly 558.

The Social Word of the Ecumenical Council of the Churches in Austria unmistakeably maintains:

> *"Christian talking about peace and any actions of the Christian churches will mainly ask the question of the impact of such measures* [i.e. containment of escalating conflicts and preventive action] *for the disadvantaged and weakest groups within society."* [46]

In the ongoing discussion military ethics is first and foremost put into the frame of such an ethics of responsibility. Modern approaches ascribe the term "responsibility" the most central significance.

> *"This term seems appropriate to combine the aspects of deontology with the ones of a theory of goods. Via the concept of responsibility the topic of a theory of virtue can also be accessed.* [...]" [47]

Forward thinkers of the church like Ulrich H.J. Körtner suggest

46 Social Word of the Ecumenical Council of the Churches in Austria, sect. 249.

47 Ulrich H.J. *Körtner*, Evangelische Sozialethik. Grundlagen und Themenfelder [Protestant social ethics. Basics and topics] (UTB 2107; Göttingen 1999) 21.

"that the churches should more strongly support a political approach driven by the ethics of responsibility. That would by all means be truly protestant." [48]

With peace ethics, in particular, there is the obligation to develop a peace pedagogy.[49]

3.4. There is a connection in terms of content between the ethics of responsibility and the creation of a viable and problem-oriented legal system which is strengthened on the international level. A central area of this legal system is dedicated to human rights.

Such a legal framework, however, is only effective if it is enforced; whereby "*law* [is by itself] *designed towards enforceability*".[50] Even so, there is the problem that the universality and inseparability of human rights are inviolable in terms of European thinking[51] and that

48 Ulrich H.J. *Körtner*, Der Ast, auf dem wir sitzen. [The branch of the tree we are sitting on] In: Kleine Zeitung, 21 Oct 2015.

49 Cf. Karl Ernst *Nipkow*, Der schwere Weg zum Frieden: Geschichte und Theorie der Friedenspädagogik von Erasmus bis zur Gegenwart [The difficult path towards peace: history and theory of the peace pedagogy from Erasmus to today] (Gütersloh 2007).

50 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 98.

51 Cf. ibid., sect. 88ff.

> *"the idea of human rights owns a universal claim to validity, although it is still interpreted and understood in different ways",*[52]

i.e. there is no worldwide consensus about human dignity, which is explained under different conditions.

Even although human rights are nowadays understood from a secular viewpoint, they are rooted, inter alia, in the religious tradition and belief that God's creation as well as the

> *"purpose of Man to be in the image of God, i.e. in communion with God"*

constitute Man's dignity and value per se. Today, this concept is primarily imagined in terms of the protection against humiliation, the right to live, protection against unequal treatment and discrimination, the respect for the subject status of a human being, the guarantee of a material and social minimum subsistence level or enabling the individual to build up a self-determined lifestyle.[53]

In the Christian context the question of Man's dignity is connected with the love of one's neighbour. The commandment to love God and one's neighbour like oneself (cf. Mark 12:28–31; Mattew 22:35–40; Luke 10:25–28), obligates every Christian to respect and pro-

52 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 110.

53 Ibid., sect. 79.

tect every human person's dignity and rights, irrespective of the person in question.

Moreover, the following is true:

> *"Respect for, and development of, human life require peace. Peace is not merely the absence of war;* [...] *Peace cannot be attained on earth without safeguarding the goods of persons, free communication among all people, respect for the dignity of persons and peoples, and the assiduous practice of fraternity.* [...] *Peace is the work of justice* [...] *and the effect of charity* [...]*."* [54]

54 Catechism of the Catholic Church, sect. 2304ff.

4. Fear God, honour the state

Since the world is in the state of the "penultimate", an authority established in the world is required, the core task of which is the prevention of destructive force. *"Fear God; honour the king!"* (1 Peter 2:17)

4.1. The key passage for political ethics is found in Paul's Epistle to the Romans (chapter 13) and reads:

> *"Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted,* [...] *For rulers hold no terror for those who do right, but for those who do wrong.* [...] *For the one in authority is God's servant for your good. But if you do wrong, be afraid, for rulers do not bear the sword for no reason. They are God's servants, agents of wrath to bring punishment on the wrongdoer."* (Romans 13:1–4)

This passage became a challenge in times of suppression by the rulers. The theological declaration formulated against the national socialist world of thought at

the synod of Barmen of May 1934 however stated in its fifth thesis:

> *"The Scripture tells us that, according to divine command, it is the state's task to provide for law and peace in accordance with human understanding and capacity, under penalty and by the exercise of force in the yet unredeemed world, which the church is also part of. The church* [...] *is reminiscent of the kingdom of God, His commandment and justice and thus of the responsibility of the ruling and the ruled.* [...]*"*

Bonhoeffer, although he realised the true face of National Socialism, did not digress from the traditional concept expressed in Romans 13, and states even more clearly:

> *"Sin has made it necessary for God to establish governing authorities. They are to protect the humans against the chaos wrought by sin, using the sword bestowed onto them by God. They are to punish the wrongdoer and save life. Thus, the governing authorities are established as a coercive power and as a guardian of an outward justice.* [...]*"* [55]

The task of a secular regime is, therefore, to establish a worldly order, which is necessary because the world

55 Dietrich *Bonhoeffer*, Ethik [1949], compiled and edited by Eberhard Bethge (Munich [2-]1953) 261.

has not yet been redeemed, but exists in sin in the "penultimate".

This order is the framework of action within which humanity can maintain the outward, secular justice and be advanced at the same time. The means applied by the authority, which Luther in reference to Romans 13 refers to as the "ministry of the sword", are the law, power, force and coercion. Article XVI of the Confessio Augustana (Augsburg Confession) from 1530 explains as follows:

> *"Concerning civil affairs, they teach that such civil ordinances as are lawful are good works of God* [...] *that Christians may lawfully bear civil office,* [...] *appoint just punishments, engage in just war, act as soldiers* [...]. *Christians, therefore, must necessarily obey their magistrates and laws, save only when they command any sin; for then they must rather obey God than men."*

The words "without sin" can, according to the current view, only refer to individual, but not structural, sin.

In the end, the Christian will have to reconsider any of his positions towards a temporal authority with regard to the Scripture and from an eschatological perspective (cf. Mark 13; Revelation 13).[56]

56 Mark 13 contains the speech of Jesus on the apocalypse (Mark's Little Apocalypse); Revelation 13 metaphorically describes Satan's battle against the rule of God.

4.2. Indirectly, the limits of a governing state authority are visible this way. The synod of Barmen further states in its 5th article:

> *"We condemn the wrong teaching that the state could, beyond its special assignment, become the only and total regime of human life and, therefore, also fulfil the church's purpose."*

With this, any claim to holding absolute power on the part of the state is rejected. The exercise of state authority has, therefore, an exclusive character of serving. The state serves the citizens by establishing just structures. In addition, it protects from violent and destructive incursions, and also the use of force to defend a community, including a defensive war, lies within the state's responsibility.[57] A general ban on the use of force under international law and a ban on all offensive wars were introduced in 1951 by the articles 2 and 51 of the UN Charter.

57 Cf. Edwin R. *Micewski*, Grenzen der Gewalt – Grenzen der Gewaltlosigkeit. Zur Begründung der Gewaltproblematik im Kontext philosophischer Ethik und politischer Philosophie. [Limits of violence – limits of non-violence. On the explanation of the topic of violence in the context of philosophical ethics and political philosophy] (Frankfurt/Main-Berlin-Bern-New York, NY-Paris-Wien 1998)

4.3. When dealing with the question as to what extent the use of force is justifiable, one comes across certain language differences. This is connected mainly with the complex range of meanings that the German term "Gewalt" and its English equivalent "force" carry. It becomes apparent when translating the word from German into English:[58]

a) power (general power);
b) force (assertive, also armed force);
c) authority (legitimate [state-political] authority).
Only regarding the fourth meaning "force" is to be rejected on the basis of ethics:
d) violence.

The term denotes

> *"harmful, destructive, life-threatening forms of violent actions which by their character also have a disposition for escalation* [...] *".*[59]

58 The peace memorandum of the Evangelical Church in Germany published in 2007 "Aus Gottes Frieden leben – für gerechten Frieden sorgen" stresses this fact. Cf. Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 54.

59 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 54.

Force is therefore

> *"hard to control because every use of force - even when it is intended as a means to protect from evil - holds an inner dynamics for its own exponentiation."* [60]

By „authority", in particular, state authority is implied, which aims at a regime and thus corresponds to the message of Romans 13 and the above-mentioned confessional documents. The state authority is to defend against any destructive force (violence).

4.4. Since peace is a social process, the state can only provide the framework, stability and security, under which peace can emerge. This framework is a means to enable social peace. Because with authority and

> *"armed force peace* [may be] *secured under certain circumstances, but cannot be created".* [61]

The objective can only be just peace.[62]

The Heidelberg Catechism answers the question of the meaning of the commandment *"You shall not kill"* (question 105) in this manner:

60 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 37.

61 Ibid., sect. 64.

62 Cf. ibid., sect. 88ff.

"That neither in thoughts, nor words, nor gestures, much less in deeds, I dishonour, hate, wound, or kill my neighbour, by myself or by another [...] *Therefore the magistrate is armed with the sword to prevent murder."*

It is the state's mission to prevent humans from committing acts of violence (abuse of force), the most serious form of which is killing, and to create peace in the state.

The peace memorandum of the Evangelical Church in Germany "Aus Gottes Frieden leben – für gerechten Frieden sorgen" (2007) makes the following conclusions in terms of military ethics:

"Thinking in the context of just peace, therefore, means that the 'para bellum' principle has to be substituted by the principle si vis pacem para pacem ('if you want peace, prepare the peace')." [63]

In any event it is true that

"Peace needs to be [...] *'created' actively by every trick in the book, and part of this is, according to the* [...] *insights of our time also the art of peace known by the military."* [64]

63 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 75.

64 Evangelischer Erwachsenenkatechismus [Protestant Catechism for Adults], 556.

5. Blessed is he who considers the poor

Just as service for the community is the central function of the state, all state authorities and thus all the soldiers are obliged to this task (Miles Protector). ***"Blessed is he who considers the poor."*** **(Psalms 41:1)**

5.1. In his letter to John, Elector of Saxony (John the Steadfast) on "secular authority and to what extent it should be obeyed" from 1523 Martin Luther explains:

> *"No Christian is to wield or invoke the sword for his cause; but for another he may and shall wield and invoke it so that wickedness is counteracted and righteousness is protected."* [65]

In this context the II. Vatican Council of the Catholic Church establishes in its pastoral constitution "Gaudium et spes" (1965) that the one who serves his country as a soldier is to be a servant of security and of freedom

65 Martin *Luther*, Von weltlicher Obrigkeit, wie weit man ihr Gehorsam schuldig sei [On secular authority. To what extent it should be obeyed] (1523). In: Martin Luther, Von der Obrigkeit in Familie, Volk und Staat [On authority in the family, the people and the state] (Ausgewählte Werke, ed. by H. H. Borcherdt and Georg Merz, V; Munich[3.]1952) 23.

of the peoples.[66] This position is opposed to any form of militarism.

The Austrian soldier has a distinctive relationship of loyalty with the Republic of Austria. The pledge of loyalty is binding:

> *"I swear to protect my country, the Republic of Austria, and its people and to defend it with my weapon. I swear to follow the lawful governmental authorities, to obey all orders of my superiors precisely and on time, and to serve the Republic of Austria and the Austrian people with all my power."*[67]

The reformed Swiss military strategist Gustav Däniker introduced the term "miles protector"[68] into the discussion at the beginning of the 1990ies and summarised the new mission of the soldier as to „protect, help, rescue". His role is to protect lives, rights and liberties and if the situation calls for it, to enforce all that. This includes, in particular, protecting fundamental rights like human dignity, personal freedom as well as the rule of law, based on equality and justice.[69]

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66 Gaudium et Spes, sect. 79.

67 Austrian Defence Act sect 41.7.

68 Gustav *Däniker*, Wende Golfkrieg. Vom Wesen und Gebrauch künftiger Streitkräfte [Turnabout Gulf War. On the nature and use of future armed forces] (Frauenfeld 1992) 143ff.

69 Hans Peter von *Kirchbach*, Wenn das Gewissen befiehlt. [When the conscience gives orders] In: *De officio*. Zu den ethischen Herausforderungen

The fundamental attitude of the miles protector, as the reformed theologian and Swiss General Staff officer Dieter Baumann states, is the love of one's neighbour, which he views as

> *"a fundamental attitude that respects every military and non-military opponent as a human person and that is aware of one's own human limitations and liability of being wrong."*[70]

A community organised by law will resort to threatening with, and using, force exclusively in emergency situations, whereby the principle of proportionality has to be taken into consideration. Today, the soldier as the defender of freedom, law and peace needs to be able to do more things than simply fight in order not to be forced to fight. Basically, he assists people and peoples who are in danger, helps to rebuild destroyed structures and to constrain those who disrupt the peace.[71]

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des Offiziersberufs [De officio. On the ethical challenges of the profession of the officer], ed. by Peter H. Blaschke (Leipzig 2000) 151.

70 Dieter *Baumann*, Das Ethos des Miles Protector. [The ethos of the miles protector] In: Allgemeine Schweizer Militärzeitschrift 2004, Nr. 2, 27.

71 Cf. Arbeitsgemeinschaft Evangelischer Soldaten in Österreich / AGES, Der christliche Soldat am Beginn des 3. Jahrtausends, 21.

5.2. The change in the operational spectrum of the armed forces led to a closer cooperation between civilian and military authorities and operational personnel.[72] The armed forces are thus part of a comprehensive approach comprising numerous elements of state organisation like, for example, the police forces, humanitarian organisations and NGOs. In this context importance is attached to the fact that the armed forces constitute an instrument under the primacy of politics, i.e. that the soldier is to serve the common good of society, but not a (political) party or a particular individual.

Soldiers are understood as "citizens in uniform". This term unites political, societal and ethical aspects, and

> *"stands for the citizen who is highly motivated to defend his country as a soldier and who assumes a part of the responsibility for the freedom and dignity of others. The concept stands for the politically educated, responsible citizen who understands the political causes, conditions and results of his actions as a soldier and advocates them confidently."* [73]

72 "Comprehensive security is based on an extended understanding of security, comprising internal and external as well as civil and military aspects of security and the cooperation between state and non-state actors." (Comprehensive Approach. In: Truppendienst Spezial Nr. 19, 2/2013, 13).

73 Manfred *Lange*, Rollenbild und Selbstverständnis des deutschen Soldaten. [Role and self-conception of the German soldier] In: Jahrestagung der Wissenschaftskommission 2002, ed. by the Science Commission of the Austrian MoD (Vienna 2002) 1.

Soldiers are in close contact with the general society. Following their orders, they do not act with blind obedience or in an unquestioning manner, but geared towards values.[74] The soldier's image is not primarily focused on war, but much rather on peacekeeping by defending against attacks.[75] Political-moral reference points of this concept are freedom and responsibility.

5.3. In this context Dieter Baumann refers to the *"professional ethos of the soldier".*[76] There are references to this in the Bible. John the Baptist, for example, is asked by soldiers how they should act properly. He tells them:

> *"Do not extort money and do not accuse people falsely, and be content with your pay."* (Luke 3:14)

74 Cf. Ruth *Seifert*, Individualisierungsprozesse, Geschlechterverhältnisse und die soziale Konstruktion des Soldaten [Individualisation processes, gender relations and the social structure of the soldier], ed. by the Social Science Institute of the Bundeswehr (Munich 1993) 178.

75 Cf. Werner *Freistetter*, Soldatenbild und internationale Einsätze. [The soldier's image and international operations] In: Ethica 2002, 53–56.

76 Dieter *Baumann*, Militärethik – ein Widerspruch in sich selbst? [Military ethics – a contradiction in itself?] In: Allgemeine Schweizer Militärzeitschrift 2004, Nr. 7–8, 18; cf. Hubert Michael *Mader*, "Ritterlichkeit". Eine Basis des humanitären Völkerrechtes – und ein Weg zu seiner Durchsetzung. ["Chivalry". A basis of humanitarian international law - and a means to enforce it] In: Truppendienst 2002, Nr. 2, 122–126.

The internal leadership of the Bundeswehr elaborated guidelines for soldiers, which correspond to the modern spectrum of requirements:

> *"1. The soldier protects, serves and helps by applying legitimate and limited counterforce or by threatening to apply it.*
> *2. Soldiers protect by means of fighting and the ability plus the will to engage in combat.*
> *3. Soldiers fight in order to prevent conflicts, to end violence and to restore peace.*
> *4. The extent of the applied force is to be oriented along the imperatives of humanity, for it has to serve the general objective to completely restore and conserve human dignity and peace.*
> *5. Soldiers rescue when the lives of their fellow citizens are at stake, and they help when violence prevents them from applying the human rights."*[77]

During military operations in a difficult strategic and tactical environment an "ethos of the miles protector"[78] has to help the actors in order for them to intervene successfully. According to Baumann, ethical principles of the miles protector are:[79]

77 Kirchbach, 154.
78 Baumann, Das Ethos des Miles Protector, 26.
79 Ibid., 26.

- equal dignity of each individual human person (human rights);
- freedom of the individual and the community;
- responsibility for one's own actions as well as failure to act when needed;
- just and lasting peace (national and international legal systems);
- separation of powers by a system of checks and balances; and
- legitimised democratic decision-making processes.

Therefore, the soldier's profession requires deep respect for one's own life and the life of others, every human person's dignity needs to be accepted and the soldier has to be conscious of the fact that he himself is never perfect. The General Duty Regulations (ADV, section 6.1) of the Austrian Armed Forces stipulate that

> *"orders, which violate human dignity or criminal law if followed,* [...] *must not be given".*

Otherwise, the duty to obey is suspended (ADV, section 7.5.1).

All soldiers are subject to high demands with regard to their decisions in leading and task performance. Therefore, military pastoral care will need to make an indispensable contribution to the further development of a soldier's ethos and its reception in people's hearts, based on military and professional ethics and which

is justifiable by one's own conscience. Already with the establishment of military pastoral care the church became the provider of a military and peace pedagogy.[80]

5.4. It is not enough for soldiers to know about the ethical principles; they need to be internalised in a keen conscience and cultivated as a virtue. In this way the soldiers receive support in coming to grips with their lives and their life situation (life competence). Human persons are led into the field of an ethics of responsibility with the values of the miles protector. The question of educatability arising in this particular context sketches out a broad field of activity for military ethics, which includes conscience building.

The aim is to develop a *"moral power of judgement"*[81]. It can be practised, inter alia, with the help of dilemma trainings and case studies, where the abilities of rationale and awareness as well as the capability to act responsibly (for decisions made or forborne) are trained.

> *"In addition, there also comes the will imprinted by one's own conscience to do what one recognises as right. This will is bound to the individual, bodily,*

80 Cf. Nipkow and Helmuth *Kittel*, Evangelische Religionspädagogik [Protestant religious education] (Berlin 1970) 273ff.

81 Cf. Baumann, Das Ethos des Miles Protector, 26f.

cognitive, professional and functional abilities and capabilities."[82]

The *"will imprinted by one's own conscience to do what one recognises as right"* transposes the individual's professional, bodily and institutional abilities into suitable opportunities for action, whereby the way of acting is determined by the virtues. Consequently, soldiers act according to their own conscience and the law. In this way the soldier receives

"the comprehensive ability from military ethics to combine his military capabilities with a responsible willing".[83]

82 Baumann, Das Ethos des Miles Protector, 27.

83 Ibid., 27.

6. Providing for law and peace

The political decision regarding any use of force must legitimise itself at the objective of just peace. The task of the authorities to ensure justice and peace under the threat and the exercise of using force raises the question of the conditions for the use of force.

6.1. In the fifth thesis of the Theological Declaration of the Synod of Barmen, the authorities are given the task of

> *"ensuring justice and peace under the threat and use of force".*

This follows the content of Article XVI of the Confessio Augustana, where the exercise of authority also includes *"lawfully waging wars"*. The Latin text uses "iure bellare". The term refers to the Bellum Iustum doctrine, which has existed since late antiquity and also belonged to the basic stock of military and state-ethical thinking of the reformers.

The Bellum Iustum doctrine by no means justifies warlike events; instead of referring to the sense of "just", "iustus" rather denotes "responsible". The Bellum Iustum doctrine lists criteria that justify the breach

of peace through military coercive force. The doctrine, therefore, serves to curb and regulate military force, not to support it. The aim is to prevent war and only subsequently, if this is not possible, to limit it to a large extent (containment).

In its current form the Bellum Iustum doctrine distinguishes the ius ad bellum, the criteria to be met for going to war, and the ius in bello, the rules governing a state's conduct of military operations.

The criteria are:

1. The right to go to war (ius ad bellum) demands:
   - a competent authority (legitima auctoritas / potestas);
   - an acceptable reason – just cause – for going to war (causa iusta);
   - the right intention of the combatants (recta intentio);
   - the last resort to restore the law, after all peaceful and viable alternatives have been tried and exhausted (ultima ratio);
   - the prospect of peace with the opponent (iustus finis);
   - The anticipated benefits of waging a war must be proportionate to its expected evils or harms (proportionalitas).

2. The right conduct of war (ius in bello) demands:
   - the proportionality of military means in relation to the concrete and direct military advantage;
   - distinction between combatants and non-combatants (principle of discrimination) and protection of the civilian population during the fighting (principle of immunity).

6.2. In recent years increasing criticism has been voiced with regard to the Bellum Iustum doctrine. This refers to the legitimacy of violence that is awarded, in a sense, by the doctrine, since there is no ius contra bellum. Moreover, the criteria themselves and the non-differentiated peace perspective are criticised.

And, then, the ius post bellum, justice after a war, is missing as well. This has particular consequences, because the political goal after a military conflict must be desired peace. The Bellum Iustum doctrine completely ignores all questions dealing with the situation after the conflict has ended, that is, precisely the area in question.

> *"It is estimated that in about half of all countries that have ended wars, violence will flare up again within five years."* [84]

84 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 133.

That is why the Evangelical Church in Germany in their peace memorandum quite rightly call for a ius post bellum. Here too – and especially here – the civilian sector must have the final say. In order to guarantee the prerequisites for a just peace, international law needs to be enforced and a just legal system established, so that new conflicts can be prevented by civil conflict management. The deployed military forces can only act as a stabilising factor setting the framework conditions for such a development of society.

Although the peace-ethical documents of the Evangelical Church in Germany have for many years distanced themselves from the Bellum Iustum doctrine, it is emphasised at the same time that

> "[the conclusion] *is not that also the moral test criteria contained in the bellum iustum doctrine must or should be abandoned*".[85]

The benchmark of any use of measures of force (not only military) is the establishment of a just peace.

In view of the modern threat scenarios in a so-called new war or hybrid war (including cyber threats and the use of UAVs), the question arises as to what extent

85 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 102. Cf. on the adoption of the criteria Ulrich H.J. *Körtner*, "Gerechter Friede" – "gerechter Krieg". Christliche Friedensethik vor neuen Herausforderungen. [„Just peace" – „just war". The Christian peace ethics meets new challenges] In: ZThK 100 (2003) 348–377.

the criteria still correspond to a conventional interstate war.[86] An example from the area of the ius in bello is the distinction between combatants and non-combatants (principle of discrimination). The differences between armed forces and militant civilians in conflict scenarios similar to civil war are largely blurred.

The question regarding the ultima ratio (last resort) is more complex. Traditionally, ultima ratio is related to warfare, and the "ultima" is understood either as the last instrument in terms of time or in terms of quality. Traumatic experiences (genocide in Rwanda in 1994, massacres in Srebrenica in 1995) have shown that a temporary understanding is not possible. Similarly, a qualitative understanding is not effective since internationally deployed troops often carry out only low-intensity military missions (observation, protective measures).

In view of this, should the understanding of the last resort not lead to a change of perspective away from military action? Ultima ratio would then refer to the objective of a just peace. Can ultima ratio be anything else than just peace, which is to be established as soon as possible?

86 Cf. Karl-Reinhart *Trauner*, Die Bellum-Iustum-Theorie auf dem Prüfstand. [The bellum iustum theory under close scrutiny] In: Soldat im Einsatz – militärische, anthropologische und theologische Aspekte [Soldier in action – military, anthropological and theological aspects], ed. by Franz L. Fahrner / Karl-Reinhart Trauner (Schriftenreihe des Instituts für Militärethische Studien 4; Wien 2014) 169–204.

By this, the tension between temporary and qualitative understanding would not only dissolve, but such an understanding would also imply a leap ahead in quality.

6.3. It corresponds also to military experience that an operation can no longer be adequately conducted by means of military assets alone. A *"multidimensional concept of peace"*[87] finds its counterpart in a multidimensional concept of intervention, which may also include legitimate force in the sense of deployment of military forces. Of course, there must always be a *"primacy of the civilian"* [88] under the primacy of politics.

> "*Military measures must remain part of a coherent peace policy under the primacy of civil society.*" [89]

According to traditional understanding, a clear hierarchy of measures (from diplomacy to the use of military assets) was assumed. This may still apply to a traditional inter-state conflict, but not to current multidimensional crisis scenarios, such as failing one-dimensional economic sanctions.

Does not a „multi-dimensional concept of peace" require multi-dimensional means to be employed so as to achieve such peace? This would mean a comprehen-

87 Aus Gottes Frieden leben – für gerechten Frieden sorgen, sect. 78.
88 Ibid., sect. 124.
89 Ibid., sect. 118.

sive approach regarding the use of force, which could include the use of diplomatic measures, the military, police forces, humanitarian NGOs, reconstruction programmes, economic measures (economic sanctions or economic promotion) and reconciliation work on the part of the church, depending on the situation.

Among other things, the Social Word of the Ecumenical Council of the Churches in Austria distinguishes the following tasks to be fulfilled by the churches in order to achieve comprehensive peace:[90]

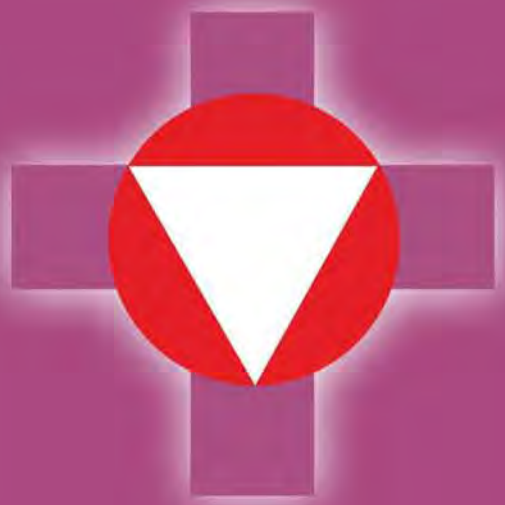
> *"The churches provide the time and space to deal with trauma and for wounds to heal."*
> They are prepared *"to cooperate with people engaged in peace, especially in crisis areas, without religious, ethnic or political reservations."*
> They *"advocate disarmament and fair international relations, especially at the economic level."*

90 *Sozialwort des Ökumenischen Rates in Österreich* [Social word of the Ecumenical Council in Austria] sect. 254, 255 and 258.

6.4. A modern security policy and peace work requires a political learning process from all participants and entire state entities. To accompany this process from a protestant viewpoint is a great challenge for both military and peace ethics, as it is to be further developed from a protestant perspective.

By shaping the world in the status of the "penultimate", however, political and military action is always connected with the potential involvement of guilt, from which man cannot liberate himself.[91] He nevertheless remains "simul iustus et pecator", a sinful and justified man, always dependent on God. Already a call to prayer from the 9th century (the antiphon "Da pacem, Domine") reads:

> *"Grant us peace graciously, O Lord, in our time. Because there is no one else who fights for us, if not You, our God."* [92]

91 Cf. Dietrich *Bonhoeffer*, Ethik [1992], compiled and edited by Ilse Tödt (DBW 6; Gütersloh [2.]1998) 133ff.

92 *Evangelisches Gesangbuch*. Ausgabe der Evangelischen Kirche in Österreich [Protestant hymn book. Edition of the Protestant Church in Austria] (Vienna n.y. [1994]) 421.